

REMARKS

Applicants thank the Examiner for indicating claims 2-5, 7 and 8 to be allowable.

Claims 1 and 6 stand rejected under 35 USC 102(e) as being anticipated by Fukano. In particular, the Examiner alleges that Fukano's valve mechanism section 18 discloses a "working member for manual opening and closing" as recited in claim 6 (Action, page 3, lines 15-22). Claim 6 has been amended to include the limitations of claim 1, and claim 1 has been canceled.

Claim 6 recites a "working member in manual opening and closing which serves as a stem-shaped body which is moved by a manual operation to an automatic opening and closing disabled position at which a lower end presses *a top surface center of the valve element holder* downward." The Examiner relies on Fukano's valve mechanism section 18 to disclose the recited "working member in manual opening and closing" (Action, page 3, lines 5-24). However, as shown in Fig. 5 of Fukano, when Fukano's valve mechanism section 18 is moved downward, the lower end of Fukano's valve mechanism section 18 does not press "a top surface center of the valve element holder" as recited in claim 6. Rather, Fukano's valve mechanism section 18 presses down on the upper end of Fukano's shaft 76, which the Examiner relies on to disclose the recited "working member in automatic opening and closing"—not the valve element holder. Thus, Fukano's valve mechanism section 18 fails to disclose the working member in manual opening and closing as recited in claim 6, and this anticipation rejection should be withdrawn.

In addition, claim 6 recites that, when the recited working member in manual opening and closing is moved by a manual operation to an automatic opening and closing enabled position, the working member in automatic opening and closing “serves as *a tube-shaped body* which is *fitted in* the stem-shaped working member in manual opening and closing so as to be relatively and vertically movable and moved to a closing position.” While the Examiner relies on Fukano’s holding member 108 to disclose the recited “working member in automatic opening and closing,” as illustrated in Fig. 5 of Fukano, when Fukano’s valve mechanism section 18 is in its upward position, Fukano’s holding member 108 serves as a “stem-shaped body,” rather than as a “tube-shaped body” as claimed. In addition, it does not serve as a tube-shaped body which is fitted in the stem-shaped working member as claimed. Rather, it abuts on the stem-shaped working member. Thus, Fukano also fails to disclose recited working member in automatic opening and closing, and this anticipation should be withdrawn for this additional reason.

Further, as stated on page 11, line 24 to page 12, line 2, of the specification, the fluid control device of claim 6 combines an automatic valve with a manual valve so that “the operation of the working member in manual opening and closing can be performed regardless of the force working from the automatically opening and closing means to the working member in automatic opening and closing” (Specification, page 11, line 24 to page 12, line 2). As illustrated by the embodiment depicted in Fig. 5 of Fukano, Fukano’s valve mechanism 18 is not configured to perform its operation in absence of the force working from the automatically opening and closing means. Thus,

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Fukano's valve differs in its mode of operation from the fluid control device of claim 6, and Fukano fails to disclose or suggest the fluid control device of claim 6. Accordingly, applicants respectfully request the Examiner to withdraw this rejection and to allow pending claims 2-8.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact applicants' undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed, the applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

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